

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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**July 17, 2006**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, July 18, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**July 18, 2006**  
**Council Chambers, City Hall**  
**8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Carlos Flores**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATION**

**TEXAS ASSOCIATION OF MEXICAN-AMERICAN CHAMBERS OF COMMERCE  
APPRECIATION WEEK**

### **RECOGNITION**

**PRESENTATION BY TEXAS CITY MANAGEMENT ASSOCIATION (TCMA)  
OFFICIALS TO MAYOR AND CITY COUNCIL FOR COUNCIL OF THE YEAR  
AWARD 2006.**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

### **CONSENT AGENDA**

**1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of July 5, 2006, and Special City Council Meeting (Cell Tower Moratorium) of July 5, 2006. POSTPONED FROM 07-11-06

Approval of Minutes for Regular City Council Meeting of July 11, 2006, Special City Council Meeting (File No. 06-C-107) of July 5, 2006, Special City Council Meeting (Budget Overview) of July 6, 2006, and Special City Council Meeting (Agenda Review) of July 10, 2006.

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTIONS:**

**3A.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

5629 Hemmingway Drive

\$3,174.53

**District 4**

Rico Alvarez

[Development Services, William Stern, (915) 541-4800]

**3B.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

8937 Pence Way \$13,832.00 District 7  
Martha C. and Theodoro L. Holguin  
[Development Services, William Stern, (915) 541-4800]

- 3C.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See attachment A) **(All Districts)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3D.** That the City Manager be authorized to approve the City's limited participation in illegal dumping clean-up projects which shall consist solely of accepting at the Clint Landfill, without charging the standard landfill fee, the waste and debris cleaned-up from the sites, which waste and debris shall be collected by probationers from the West Texas Community Supervision and Corrections Department of the Texas Department of Criminal Justice and shall be transported by the Union Pacific Railway and other clean-up project partners to the Clint landfill. **(All Districts)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3E.** That the City Manager be authorized to sign a Contract between the City of El Paso and David P. Wolking, to employ David P. Wolking as an Applications Support Administrator, at a biweekly rate of \$2,349.44 for 40 hours per week. The total amount of the contract shall not exceed \$61,085.44 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007. [El Paso Water Utilities, Fred Loweree, (915) 594-5501]
- 3F.** That the City Manager be authorized to sign a Contract between the City of El Paso and Edgardo Chacon, to employ Edgardo Chacon as a Network Administrator, at a biweekly rate of \$2,546.00 for 40 hours per week. The total amount of the contract shall not exceed \$66,196.00 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007.  
[El Paso Water Utilities, Fred Loweree, (915) 594-5501]
- 3G.** That the City Manager be authorized to sign a Contract between the City of El Paso and Jose Granillo, to employ Jose Granillo as a GIS Manager, at a biweekly rate of \$2,884.62 for 40 hours per week. The total amount of the contract shall not exceed \$75,000.00 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007.  
[El Paso Water Utilities, Fred Loweree, (915) 594-5501]
- 3H.** That the City Manager be authorized to sign a Contract between the City of El Paso and Alfredo L. Solano, to employ Alfredo L. Solano as a Database Administrator, at a biweekly rate of \$2,406.64 for 40 hours per week. The total amount of the contract shall not exceed \$62,572.64 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007.  
[El Paso Water Utilities, Fred Loweree, (915) 594-5501]
- 3I.** That the City Manager be authorized to sign a Contract between the City of El Paso and Yasmin M. Lopez, to employ Yasmin M. Lopez as a Programmer Analyst, at a biweekly rate of \$1,980.48 for 40 hours per week. The total amount of the contract shall not exceed \$51,492.48 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007. Fund Source: 702-730. [El Paso Water Utilities, Fred Loweree, (915) 594-5501]

- 3J.** The city desires to clarify and ratify the action taken on July 5, 2006, for the award of Group III, Landscape Rock in Solicitation No. 2006-126, Street Construction Materials. **(All Districts)**  
[Financial Services, Jesus M. Juarez, (915) 541-4317]

- 4. REINSTATEMENT(S):** Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

Fierro, Aaron – Police Officer  
[Police Department, Paul Cross, (915) 564-7310]

- 5. BOARD APPOINTMENT:**

Irma Chavez-Rodriguez to the Retired and Senior Volunteer Program Advisory Council by Mayor John Cook. [Mayor John F. Cook, (915) 541-4145]

- 6. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]  
That the tax refunds listed on the attachment posted with this agenda be approved.  
(See attachment B) **(All Districts)**

- 7. ENGINEERING:**

Approve Contract Change Order No. 2 to CF Jordan, LP for the Sixth Avenue Street & Drainage Improvements Project (Contract Number 2005-274). This Change Order, if approved, will adjust previously estimated quantities, at the contract unit prices, to match those actually installed to complete the project. The dollar amount of this change order is \$30,049.00. The new total contract value will be \$802,743.00.

Funds Available: G7130CD0026-07842-71150069-508027  
Funding Source: Community Development  
Location(s): Sixth Avenue from Virginia to Tays  
**District(s): 8**  
[Engineering Department, Rick Conner, (915) 541-4423]

- 8. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2006-943 OMB-UNEMPLOYMENT INSURANCE

To increase the appropriation for account 502126 – Unemployment Compensation based on projected claims expenditures.

Increase	\$109,901	to	Fund Balance Transfer
Increase	\$109,901	to	Unemployment Benefits Paid

### **REGULAR AGENDA**

- 9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

**9A.** An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport use regulations) of the El Paso City Code to amend the insurance requirements of taxi cabs operating at the airport. **(District 3)**  
[Airport, Patrick T. Abeln, (915) 780-4724]

**9B.** An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport use regulations) of the El Paso City Code to amend the required permit fees for taxi cabs operating at the Airport. **(District 3)**  
[Airport, Patrick T. Abeln, (915) 780-4724]

**PUBLIC HEARING WILL BE HELD ON AUGUST 1, 2006, FOR ITEMS 9A – 9B**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**10. MAYOR AND COUNCIL:**

**10A.** Discussion and action regarding a Resolution in support of continued funding for the Region 19 McKinney-Vento Project for homeless children.  
[Mayor John F. Cook, (915) 541-4145]

**10B.** Discussion and action, to direct the City Manager to report responsively to a proper request for financial disclosure of accounting matters related to the citizens and affairs of District 4 of the City of El Paso, consistent with duties set forth for the City Manager in Section 5.2 of the Charter as approved by the voters. [Representative Melina Castro, (915) 541-4400]

**11. ENGINEERING:**

Discussion and action that the City Manager be authorized to sign an Agreement for architectural consulting services between the City of El Paso and Alvidrez Architecture, Inc. The total value for the term of the Agreement shall not exceed seven hundred fifty thousand and no/100 dollars (\$750,000.00) for a one (1) year period. The City has the option to extend this contract for an additional one (1) year period. **(All Districts)**  
[Engineering Department, Rick Conner, (915) 541-4423]

**12. FINANCIAL SERVICES:**

That the Purchasing Manager of Financial Services is hereby authorized to notify First In, Inc. that the City is terminating Contract No. 2005-128, Air Purification Respiratory Parts, pursuant to the provisions and requirements of Section C, Paragraph No. 18B of the Contract, due to default by the Company which shall be effective as of the date City Council approves this resolution.

The user Department was notified and a new solicitation will be issued.

Department: Fire Department  
**(All Districts)** [Financial Services, Jesus M. Juarez, (915) 541-4317]

**13. PUBLIC HEARINGS – DEVELOPMENT SERVICES:**

An Ordinance changing the zoning of all of Lot 4 and a portion of Lot 5, Block 2, Hueco Mountain Village, El Paso, El Paso County, Texas from RMH (Residential Mobile Home) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Applicant: Frank Pryor and Margarita Pryor. ZON06-00045 (**District 5**) [Development Services/Planning, Christina Valles, (915) 541-4930]

**14. CITY MANAGER:**

City Manager's report of current events and issues:

Quarterly Financial Report, 3<sup>rd</sup> Quarter.  
[Financial and Administrative Services, William Studer, (915) 541-4011]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**EX1.** Discussion and action: Lease by and between the City of El Paso ("Lessee") and County of El Paso ("Lessor") regarding the property municipally known and numbered as 6314 Delta, El Paso, Texas. (551.071) [City Attorney's Office, Sylvia Firth, (915) 541-4550]

**EX2.** Melina Castro v. Charlie McNabb, Cause No. 2005-8459 (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>